

**IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE**

<b>IN RE APPLICATION OF:</b>	RUBBIA et al.	RESPONSE TO
<b>ATTORNEY DOCKET NO.:</b>	218728-000059	NOTICE OF NON-
<b>SERIAL. NO.:</b>	09/446,144	COMPLIANT
<b>FILING DATE:</b>	March 2, 2000	AMENDMENT
<b>MARK:</b>	NEUTRON-DRIVEN ELEMENT TRANSMUTER	MAILED
		February 23, 2007

Commissioner for Patents  
P.O. Box 1451  
Alexandria, VA 22313-1451

Art Unit: 3694

Examiner: Daniel L. Greene Jr.

Dear Examiner Greene:

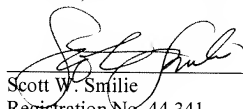
In response to the Notice of Non-Compliant Amendment mailed February 23, 2007, Applicant submits herewith a listing of all pending claims, including the text of the withdrawn claims. Applicant respectfully requests that the enclosed listing of claims, pages 2 through 11, be substituted for the pages submitted with the amendment submitted on November 24, 2006.

Applicant believes that upon substitution of the enclosed pages listing the text of all claims including withdrawn claims, the amendment submitted on November 24, 2006 is now in compliance and ready for consideration by the Examiner.

Applicant believes that no charges or fees are required with this correspondence; however, if any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-1325. Should anything further be required, a telephone call to the undersigned is respectfully solicited.

Respectfully submitted,  
PATZIK, FRANK & SAMOTNY LTD.

March 23, 2007

  
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Scott W. Smilie  
Registration No. 44,341

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<b>Jordon Herzog</b>	<b>38,182</b>
<b>Scott Smilie</b>	<b>44,341</b>